

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

CRIMINAL NO. 3:03CR73

UNITED STATES OF AMERICA

VS.

SIDNEY N. HOFFMAN

)
)
)
)
)
)
)
)
)

ORDER

THIS MATTER is before the Court on the Defendant's *pro se* motion pursuant to Rule 35 to amend his judgment imposed by the Court on July 3, 2008.

The Defendant appeared with counsel before the undersigned for a final hearing on his supervised release violation on July 3, 2008. At that time, the Court found Defendant had violated the terms and conditions of his supervised release, such was revoked, and he was sentenced to a term of eight months imprisonment. **Amended Judgment in a Criminal Case, filed July 9, 2008.** In his motion, Defendant requests the Court amend its Judgment to provide that he serve his imprisonment at a halfway house or, in the alternative, that the Court order work release.

Even if the Court were to consider amending the Defendant's judgment as he requests, Rule 35 does not provide the Court with the authority to do so except for limited circumstances not present here. Therefore, the Defendant's motion must be denied.

IT IS, THEREFORE, ORDERED that the Defendant's motion to amend judgment is **DENIED**.

Signed: July 18, 2008

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

